

3 June 1839.—2 VICT.



(Ireland)

A

B I L L

[AS AMENDED BY THE COMMITTEE.]

To amend an Act of the Sixth and Seventh Year of his late Majesty King WILLIAM the Fourth, intituled, "An Act to amend the Laws relating to Bankrupts in Ireland."

[N. B.—The Clauses marked (A.) and (B.) were added by the Committee.]

WH **H**EREBY by an Act passed in the Parliament of Ireland in the Session held in the eleventh and twelfth years of the reign of King GEORGE the Third, intituled, "An Act to prevent Frauds committed by Bankrupts," it was enacted, that nothing therein contained, should extend to any Security or Securities by Judgment obtained before the Bankrupt should become Scrivener, Salesmaster, Banker, Broker, Factor, Dealer in Exchange or Merchandize; but that all debts so secured should have the same force and effect, priority and preference, as if the said Act had not been made :

Preamble :

Revised Act of 11 & 12 Geo. 3, which enacts that nothing therein contained should extend to any Security by Judgment obtained before the Person became a Trader, but that all such debts should have the same priority as if said Act had not been made.

And whereas by an Act passed in the Session of Parliament held in the sixth and seventh years of the reign of his late Majesty King WILLIAM the Fourth, intituled, "An Act to amend the Laws relating to Bankrupts in Ireland," the said Act of the eleventh and twelfth years of the reign of his Majesty King GEORGE the Third was repealed :

Revised 6 & 7 Will. 4, which repeals 11 & 12 Geo. 3.

And whereas by the said Act of the sixth and seventh years of the reign of King WILLIAM the Fourth, no provision was made for preserving the priority and effect of Judgment Debts of Bankrupts secured by Judgments obtained before such Bankrupts became Traders :

No provision made by 6 & 7 Will. 4, for preserving priority of such Judgments.

And whereas it is expedient to remove such doubts ; **BE** it therefore **ENACTED** and **DECLARED**, by The **QUEEN's** most Excellent **MAJESTY**, by and with the Advice and Consent of the Lords Spiritual and

and

1.
 Clause (A)
 This Act not to apply
 where contracts for
 purchase have been
 made, and not part
 of the purchase-
 money paid.

Purchaser who have
 not paid. Purchase-
 money, may rescind
 contracts in certain
 cases.

2.
 Clause (B)
 Act may be altered
 this Session

and Temporal, and Commons, in this present Parliament assembled,
 and by the Authority of the same, THAT nothing contained in said
 Act passed in the Session held in the sixth and seventh years of the
 reign of King WILLIAM the Fourth, shall extend to any security or
 securities by judgment obtained before the First day of June One
 thousand eight hundred and Thirty-six, and before the Bankrupt shall
 have become a trader liable to become a Bankrupt; but debts so
 secured shall have the same force and effect, priority and preference,
 as if the said last-mentioned Act had not been passed: Provided
 always, That nothing in this Act contained shall repeal or alter said
 last-mentioned Act, so far as may relate to any lands, tenements,
 hereditaments or property, or to any judgment affecting, or which,
 if this Act had not been passed, would affect any lands, tene-
 ments, hereditaments or property which shall have been sold before
 the passing of this Act, and for which, before the passing of this
 Act, the purchase-money, or any part thereof, shall have been paid;
 but lands, tenements, hereditaments and property shall have such
 exemption or exoneration from any such judgment or judgments
 as if this Act had not been passed: Provided also, That in case,
 before the passing of this Act, any lands, tenements, hereditaments
 or property liable, or which, if said Act of the sixth and seventh
 years of the reign of King WILLIAM the Fourth had not been passed,
 would have been liable to any such judgment, shall have been the sub-
 ject of any contract for sale, or shall have been the subject of any
 bidding, in or under any order or orders, or other proceedings, of any
 court, and so part of the purchase-money therefor shall have been
 paid before the passing of this Act, it shall be lawful for the party or
 parties who shall have contracted to purchase, or who shall have bid
 for any such lands, tenements, hereditaments or property as last afore-
 said, to rescind such contract or abandon such bidding, and thereupon
 to be absolved from the same upon his, her or their serving a written
 notice of his, her or their intention so to rescind or abandon on the
 party or parties who shall have contracted to sell such lands, tene-
 ments, hereditaments or property, or on the Registrar of the Court
 in which, or under any order or orders or other proceedings of which,
 such bidding shall have been had, such notice to be so served within
 Three calendar Months after the passing of this Act, or, in the case of
 any such bidding as aforesaid, or of any contract under any order or
 proceedings of any Court, within such shorter time as the Court in
 which, or under any order or orders or other proceedings of which,
 any such bidding shall have been had, or any such contract shall have
 been made, shall order.

And be it Enacted, That this Act may be amended or repealed by
 any Act or Acts to be passed in the present Session of Parliament.

Bankrupts (Ireland.)

A

B I L L

[AS AMENDED BY THE COMMITTEES]

To amend an Act of the Sixth and Seventh
Year of his late Majesty King WILLIAM
the Fourth, intitled, "An Act to amend
the Laws relating to Bankrupts in Ireland."

{*Proposed and brought in by*
Mr. Bannister and Mr. Sargeant Jackson.}

Ordered, by the House of Commons, to be Printed,
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